

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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KODY CREE PATTEN,

Case No. 3:22-cv-00310-MMD-CLB

Petitioner,

ORDER

v.

GARRETT, *et al.*,

Respondents.

Kody Cree Patten seeks an extension of time to file an amended 28 U.S.C. § 2254 petition for a writ of habeas corpus. (ECF No. 31.) Patten was convicted at age 19 of first-degree murder and is sentenced to life without the possibility of parole. Counsel for Patten, the Federal Public Defender, states that she has completed a draft amended petition, but that the defense team is trying to get copies of missing hearing transcripts that may contain critical information related to certain ineffective assistance of counsel claims. They have requested the transcripts from the Fourth Judicial District Clerk of Court and have followed up but are still waiting for a response. The Court finds the request is made in good faith and not for the purposes of delay, and therefore, good cause exists to grant the extension. Absent extraordinary circumstances, the Court is unlikely to grant any further extension.

It is therefore ordered that Petitioner's unopposed motion for extension of time to file an amended petition (ECF No. 31) is granted *nunc pro tunc*. The deadline to file the petition is extended to March 26, 2025.

DATED THIS 25th Day of February 2025.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE